

## REMARKS

Claims 1-3 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the remarks contained herein.

### REJECTION UNDER 35 U.S.C. § 102

Claims 1 stands rejected under 35 U.S.C. § 102(b) as being anticipated by Matsuo, et al. (U.S. Pat. No. 6,587,412). This rejection is respectfully traversed.

One of the characteristics of the present invention is that the disk apparatus has the "disk insertion-detecting levers 41". The "disk insertion-detecting levers 41" are disposed in the proximity of the disk insertion/ extraction port 11, and are pressed down and rotated by the outer edge of the inserted disk-shaped recording medium, so as to directly drive a switch which outputs a disk detection signal to said electric circuit.

As shown in FIG. 6, the disk insertion-detecting levers 41 in the disk apparatus of the present invention are disposed at and around both sides of the disk insertion/ extraction port 11, and are formed in the shapes of blades which spread to both sides and are raised at both ends. When the disk-shaped recording medium, such as the optical disk 101 is inserted into the disk insertion/ extraction port 11, the outer edge of the disk 101 presses down the detection faces 41a (the upper faces as seen in FIG. 6) of either or both of the disk insertion-detecting levers 41 which are disposed at both sides, so that the projections 41b formed on the detecting levers 41 press down detection switches

81 which are mechanical switches. When this detection switches 81 are pressed down, the carriage roller 40a starts to rotate, and the inserted disk 101 is carried by the rotation of the carriage roller 40a, to an intended position of the traverse chassis 6.

The Examiner asserts that "disk insertion-detecting levers 41" of the present invention correspond to the "contact components lb, 2b" of Matsuo et al. The "contact components lb, 2b" of Matsuo et al. have flat plate shapes, and are mounted above the carrying rollers 1a, 2a, respectively. The "contact components lb, 2b" work together with the carrying roller 1a, 2a so that they pinch the optical disk DS while loading or unloading it. The carrying rollers 1a, 2a are driven in synchronism by the driving motor 13 via the power transmission mechanism 1c, 2c. The carrying rollers 1a, 2a are driven to rotate in normal direction while loading it, or to reverse the direction of rotation while unloading it. If a user inserts the optical disk into the loading slot in, the carrying roller 1a and the contact component lb, and the carrying roller 2a and the contact component 2b pinch the optical disk and transfer it to the holding tray 12 by rotating the carrying rollers 1a) 2a.

As shown in Fig 1 of Matsuo et al., the mechanical switch HSW is provided at the top portion of the optical pickup mechanism 4. The mechanical switch HSW is mounted at the position when one end of the outer region of the optical disk can be contacted with it when the optical disk is pinched between the carrying rollers 1a, 2a and the contact components lb, 2b, while being carried.

In sum, the "contact components 1b, 2b" of Matsuo et al. do not have any function of the "disk insertion-detecting levers 41" of the present invention. Moreover, Matsuo et al does neither teach nor suggest that the "disk insertion-detecting levers" are disposed in the proximity of the disk insertion /extraction port, and are pressed down and rotated by the outer edge of the inserted disk-shaped recording medium, so as to directly drive a switch which outputs a disk detection signal to said electric circuit as recited in Claim 1 of the present application. Therefore, it is respectfully submitted that Claim 1, along with claims depending therefrom, defines patentable subject matter over Matsuo.

The Examiner also relies upon U.S. Patent No. 6,854,124 (Shimizu). Shimizu discloses a disk drive unit having a way to insert the optical disk by using a tray. The tray holding the optical disk is pulled out horizontally when the optical disk is inserted. Therefore, Shimizu et al. is different in construction from the disk apparatus of the present invention, and does neither teach nor suggest the "disk insertion-detecting levers" of claim 1 of the present application. Therefore, it is further submitted that Claim 1 defines patentable subject matter over the combination of Matsuo and Shimizu. Accordingly, Applicant respectfully requests reconsideration and withdrawal of this rejection.

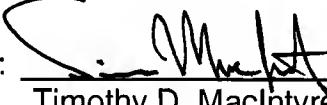
**CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested.

If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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